

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HERMANN BUSS KG MS "ELBE TRADER"
GMBH & CO.,

USDC SDNY	FILED 06/11/2008
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08 Civ. 5309 (6/11/08)

Plaintiff,
- against -
T.S. LINES LTD..

**EX PARTE ORDER FOR PROCESS
OF MARITIME ATTACHMENT
AGAINST T.S. LINES LTD.**

Defendant.

WHEREAS, on June 10, 2008 Plaintiff HERMANN BUSS KG MS "ELBE TRADER" GMBH & CO., filed a Verified Complaint herein for damages amounting to US \$548,080.79 and *JEP* praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendant's property within the District of this Court; and

WHEREAS, the Court has reviewed the Verified Complaint and the Supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for the Defendant T.S. LINES LTD. by any garnishees within this District, including but not limited to, Bank of New York Company, Inc., HSBC (USA), Bank of America, Wachovia, Deutsche Bank, Calyon, BNP Paribas, Citibank, American Express Bank, J.P. Morgan Chase Bank National Association, UBS AG, Barclay's Bank, Credit Suisse, Bank of China, Bank of Communications, Bank of East Asia, Mega International Commercial Bank Co. and/or Standard Chartered Bank, in an amount up to and

(JBD)

\$ 361,071.02

including US \$548,080.79 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

ORDERED, that any person claiming interest in the property attached or garnished pursuant to said order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED, that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED, that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission or alternative electronic means to any garnishee that advised Plaintiff that it consents to such service; and it is further

ORDERED, that service on any garnishee as described above is deemed effective continuous service throughout the day from time of such service through the opening of the garnishee's business the next business day; and it is further

ORDERED, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service by any other means; and it is further

ORDERED, that a copy of this Order be attached to and served with said Process

of Maritime Attachment and Garnishment.

Dated: June ____, 2008 JUN 10 2008

SO ORDERED:

George B. Daniels
U.S.D.J
MR. GEORGE B. DANIELS